

Docket No.: 630666.91012

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date of Signature
and Deposit: October 13, 2003

Richard T. Roche, Reg. No. 38,599

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michael J. Yaszemski *et al.*
Application No. 10/629,427
Filed: July 29, 2003
For: SPINAL CORD SURGICAL IMPLANT

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.97-1.98, Applicant is submitting a listing of documents on Form PTO-1449. A copy of each listed foreign patent document and each non-patent citation is enclosed.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any rights to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.


This information disclosure statement is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before

the mailing of a first Office Action on the merits whichever event occurs last. Should there be any charges involved, please charge to our Deposit Account No. 17-0055.

Applicant respectfully requests that the listed documents be considered by the Examiner, be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP § 609.

Respectfully submitted,

Dated: October 13, 2003

By: 
Richard T. Roche
Registration No. 38,599
Quarles and Brady LLP
411 East Wisconsin Ave.
Milwaukee, WI 53202
(414) 277-5805

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

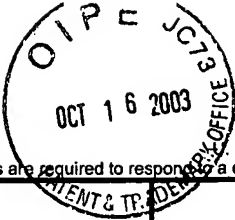
Sheet | 1

of 2

Complete if Known[illegible][illegible]Date
Considered

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**



PTO/SB/08B (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office: U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/629,427
				Filing Date	07/29/2003
				First Named Inventor	Michael J. Yaszemski
				Group Art Unit	
				Examiner Name	
				Attorney Docket Number	630666.91012
Sheet	2	of	2		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Olmarker et al., "Chondroitinase ABC (Pharmaceutical Grade) for Chemonucleolysis", Spine, 1996. 21:1952-56.	
		Bradbury et al., "Chondroitinase ABC promotes functional recovery after spinal cord injury", Nature, April 11, 2002, 416:636-40.	
		Zuo et al., "Regeneration of Axons after Nerve Transection Repair is Enhanced by Degradation of Chondroitin Sulfate Proteoglycan", Exp. Neurol., 2002. 176:221-28	
		Oldham et al., "Biological Activity of rhBMP-2 Released from PLGA Microspheres", Journal of Biomechanical Engineering, 2000. 122:289-292	
		Farndale, "Improved quantitation and discrimination of sulphated glycosaminoglycans by use of dimethylmethylene blue", Biochemica et Biophysica Acta, 1986. 883:173-77	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.